

REMEDICATION AND REDEVELOPMENT (RR) NEWS FROM WISCONSIN DNR
January 26

ADDITIONAL SMALL SAG GRANTS AWARDED

Governor Thompson has announced that five additional brownfield site assessment grants (SAGs) totaling \$84,544.25 will be offered to local government units. Award recipients are the City of Mayville, \$30,000.00; the Redevelopment Authority of Milwaukee \$12,104.00 and \$18,536.00 grants; the City of Pittsville, \$20,000.00; and Vernon County, \$3,904.25. These grants use the last of the \$1.45 million in DNR's brownfield SAG program created in the last state budget. The money became available when several communities that were offered funding in September, 2000 were unable to obtain access to property within the required 90 days. The total \$1.01 million earmarked for the small SAG applicants (\$30,000 or less) has now been awarded to 43 individual sites located in 30 different communities. Local governments will carry out activities such as tank removals, assessments, demolition and other non-cleanup activities at the specific properties. For more information about these grants contact Pat Sullivan, DNR, at (608) 266-5742 or sullip@dnr.state.wi.us For more information about brownfields contact Percy Mather, DNR, at (608) 266-9263 or mathep@dnr.state.wi.us

VPLE INSURANCE RULE HEARINGS CONDUCTED

DNR held public hearings on proposed emergency rule NR 754 on January 17. This rule would determine the environmental insurance requirements to be met in order for a party to obtain the voluntary party liability exemption (VPLE) for a site using natural attenuation (s. 292.15(2)(ae), Stats.). The hearing was a video-conference held simultaneously in Madison, Milwaukee, Green Bay, and Eau Claire, saving time and money for the state. Ten members of the public attended at these locations, asked questions and provided testimony on the proposed rule. The public comment period for the insurance rule ended January 22. DNR plans to make modifications to the rule and go to the February 28 Natural Resources Board meeting to request adoption of the emergency rule. The original rule proposal is on the RR Program web site at http://www.dnr.state.wi.us/org/aw/rr/wi_regs/ Copies of rule revisions (in response to public comments), as well as direct responses to the public comments, and other materials, should also be available by the week of February 5 on this web page. Questions about the rule or the insurance fees should be directed to Michael Prager at pragem@dnr.state.wi.us or (608) 261-4927.

PROMULGATION OF NR 746/COM 46

DNR expects NR 746 to be promulgated as a permanent rule on Feb. 1, 2001. NR 746 defines which petroleum-contaminated sites DNR and Department of Commerce have authority to administer; summarizes site investigation requirements; enumerates risk screening and closure criteria; and delineates other administrative requirements such as when remediation and remediation funding is terminated, and tracking and transfer of sites. COM 46 is the Department of Commerce rule that contains the same language. It is important to recognize that there are associated rule changes that apply to contaminants other than petroleum. These include hydraulic conductivity testing, an exemption to groundwater use restrictions in rights-of-way, and revised language for reduction of contaminant mass and concentration. The new version of NR 746 includes accompanying revisions to NR 700, 716, 720, 722 and

726, so users should obtain new copies of these chapters. NR 746 and the accompanying rule changes should be on the WI Revisor of Statutes web page on February 1 at <http://www.legis.state.wi.us/rsb/> Other changes in NR 746 include specific exemptions for petroleum-contaminated sites that meet the risk screening and closure criteria found in NR 746. These exemptions include some provisions in NR 720, soil cleanup standards; NR 722, standards for selecting remedial actions; and NR 726, demonstrating that the concentration and mass of a substance in groundwater has been reduced, and providing documentation to show groundwater standards will be met within a reasonable period of time. Additional exemptions for petroleum-contaminated sites allow site investigation reports to be submitted with the closure request when sites will be investigated and cleaned up for less than \$60,000, and an exemption from submitting a remedial action option report unless the agency with administrative authority requests one.

GOT A BROWNFIELD? GET A GREEN TEAM!

Attention local governments, businesses or individuals. If you have an abandoned or underutilized site or facility where redevelopment is complicated by suspected or known environmental contamination - you have a brownfield. There are many options for remediating and redeveloping brownfields in Wisconsin, and a Green Team meeting can help guide a brownfield project in the right direction. A Green Team includes state agency representatives who are knowledgeable about Wisconsin's brownfield program, and a Green Team meeting will provide information about brownfield financial programs to help determine which programs are right for you. The characteristics of your brownfield will determine what state agencies should be represented at a Green Team meeting. Please contact Anna Thomas, DNR Brownfield Financial Specialist, at (608) 264-6007 or at thomaa@dnr.state.wi.us to get more information or to arrange a meeting.

FEDERAL BROWNFIELD TAX INCENTIVE EXPANDED AND EXTENDED

The Brownfields Tax Incentive is a tool for redeveloping brownfields that allows taxpayers to reduce their taxable income by the cost of their eligible investigation and cleanup expenses. On December 15, 2000, the life of this tax incentive was extended until January 1, 2004. The incentive was also expanded to include not only sites in economically distressed areas, but also sites with the release or disposal of hazardous substances. Sites on EPA's National Priorities List are still excluded. For more information contact Anna Thomas, DNR at (608) 264-6007, or thomaa@dnr.state.wi.us

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